

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

ADDRESS TO: Mail Stop RCE <b>Commissioner for Patents</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	Application No. Filing Date First Named Inventor Group Art Unit Examiner Name Attorney Docket No. Confirmation No.	10/660,444 September 11, 2003 Chanduszko 3734 Yabut, Diane D. NMT-015 4893
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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

### NOTES

**RCE v. CPA:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

**FEES AND SUBMISSION REQUIRED:** A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings; new arguments, or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see 37 C.F.R. 1.114 (e)).

**RCE APPLIES TO:** An application in which prosecution is closed (see 37 C.F.R. § 1.114 (b)).

**RCE DOES NOT APPLY TO:** (1) A provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. 363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination (see 37 C.F.R. 1.114(e)).

### **1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114**

- a.  Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.
- b.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_.
- c.  Amendment and Response After Final enclosed (10 pgs.)
- d.  Affidavit(s)/Declaration(s) enclosed.
- e.  Information Disclosure Statement (IDS) enclosed.
  - i.  PTO-1449
  - ii.  Copies of IDS Citations
- f.  Other \_\_\_\_\_

### **2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114**

- a.  Applicant claims Small Entity Status.
- b.  A Petition for a \_\_\_\_ Month Extension of Time under 37 C.F.R. 1.136(a) is enclosed.
- c.  A check in the amount of \$\_\_\_\_ is enclosed.
- d.  Applicants have charged the \$405.00 RCE small entity fee under 37 C.F.R. 1.17(e) to Deposit Account No. 50-1721 at the time of filing this paper on EFS-Web.
- e.  The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 50-1721.

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**3. OTHER ENCLOSURES**

- a.  Return Receipt Postcard
- b.  Fee Transmittal

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Kirkpatrick & Lockhart Preston Gates Ellis LLP State Street Financial Center One Lincoln Street Boston, MA 02111-2950 Tel. No.: (617) 261-3100 Fax No.: (617) 261-3175	Respectfully submitted,  Date: June 10, 2008 Limited Recognition No. L0363 Tel. No.: (617) 261-3237 Fax No.: (617) 261-3175  <i>/Crystal A. Komm/</i> Crystal A. Komm Attorney for the Applicants Kirkpatrick & Lockhart Preston Gates Ellis LLP State Street Financial Center One Lincoln Street Boston, MA 02111-2950